

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

D'ARIUS AKIM JACKSON,

Petitioner,

v.

FEDERAL BUREAU OF PRISONS,

Respondent.

CASE NO. 2:24-cv-01007-TSZ-BAT

**ORDER TRANSFERRING CASE TO
THE DISTRICT OF OREGON**

On July 3, 2024, Petitioner, D'Arius A. Jackson, filed a § 2241 federal habeas petition requesting the Court order the Federal Bureau of Prison's (BOP) to calculate his eligibility for earned time credits under the First Step Act, from February 5, 2024, the date he was sentenced. Dkt. 1.

Defendant was convicted and sentenced in the Western District of Washington. *See United States of America v. D'Arius Akim Jackson*, 2:23-cr-00090-JHC. At the time judgment and sentence was entered, he was detained at the Federal Detention SeaTac. However, the Clerk of Court indicates Petitioner is no longer in the Western District of Washington and is located at Sheridan Federal Correctional Institute in the District of Oregon.

Generally, a § 2241 habeas petition challenging the manner in which a federal sentence is executed (such as Petitioner's request), must be brought in the custodial court, which in this case is the District of Oregon. *See Hernandez v. Campbell*, 204 F.3d 861, 864 (9th Cir. 2000).

As Petitioner is detained in the District of Oregon, the § 2241 habeas petition is filed in the wrong district. In the interest of justice, the Court transfers the case to the District of Oregon, pre-service of the Petition, so that District may screen the case under its own requirements.

Because this Order does not address the merits of Petitioner's claims, or make an *in forma pauperis* determination, it is suitable for decision by a United States Magistrate Judge under 28 U.S.C. § 636(b)(1)(A). *See Data Scape Limited v. Barracuda Networks, Inc.*, No. 19-cv-00179, 2019 WL 3842884 at n. 1 (E.D. Cal. Aug. 15, 2019) citing *Paoa v. Marati*, 2007 WL 4563938 at *2 (D. Haw. Dec. 28, 2007) (collecting cases for the proposition that an order to transfer venue is a non-dispositive order).

The Court accordingly **ORDERS**:

1. This case is **TRANSFERRED** to the United States District Court for the District of Oregon.

2. The Clerk shall take the steps necessary to transfer this case and to close the case in this district once transfer has occurred. A copy of this Order shall be provided to Petitioner at: Inmate Number 11733506, FCI-Sheridan, Inmate Mail/Parcels, PO 5000, Sheridan, OR 97378, A copy of the order shall also be provided to the assigned District Judge.

DATED this 12th day of July, 2024.


 BRIAN A. TSUCHIDA
 United States Magistrate Judge